

MESSAGE NO: 3052311 MESSAGE DATE: 02/21/2013

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FNO-Final Det w/Order PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: AMD-Amend

FR CITE: 78 FR 11150 FR CITE DATE: 02/15/2013

REFERENCE
MESSAGE #
(s):

CASE #(s): A-552-814

EFFECTIVE DATE: 02/15/2013 COURT CASE #:

PERIOD OF REVIEW: 04/01/2011 TO 09/30/2011

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping duty order and amended final determination on utility scale wind towers from the Socialist Republic of Vietnam (A-552-814)

1. On 02/15/2013, Commerce published in the Federal Register its antidumping duty order and amended final determination in the investigation of utility scale wind towers from the Socialist Republic of Vietnam (78 FR 11150).

2. The merchandise covered by this order are certain wind towers, whether or not tapered, and sections thereof. Certain wind towers are designed to support the nacelle and rotor blades in a wind turbine with a minimum rated electrical power generation capacity in excess of 100 kilowatts ("kW") and with a minimum height of 50 meters measured from the base of the tower to the bottom of the nacelle (i.e., where the top of the tower and nacelle are joined) when fully assembled.

A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell, regardless of coating, end-finish, painting, treatment, or method of manufacture, and with or without flanges, doors, or internal or external components (e.g., flooring/decking, ladders, lifts, electrical buss boxes, electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section. Several wind tower sections are normally required to form a completed wind tower.

Wind towers and sections thereof are included within the scope whether or not they are joined with nonsubject merchandise, such as nacelles or rotor blades, and whether or not they have internal or external components attached to the subject merchandise.

Specifically excluded from the scope are nacelles and rotor blades, regardless of whether they are attached to the wind tower. Also excluded are any internal or external components which are not attached to the wind towers or sections thereof.

Merchandise covered by the order is currently classified in the Harmonized Tariff System of the United States ("HTSUS") under subheadings 7308.20.0020 or 8502.31.0000. Prior to 2011, merchandise covered by the investigation were classified in the HTSUS under subheading

7308.20.0000 and may continue to be to some degree. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

FOOTNOTES:

(A) Wind towers are classified under HTSUS 7308.20.0020 when imported as a tower or tower section(s) alone.

(B) Wind towers may also be classified under HTSUS 8502.31.0000 when imported as part of a wind turbine (i.e., accompanying nacelles and/or rotor blades).

3. For imports of utility scale wind towers from the Socialist Republic of Vietnam, CBP shall suspend liquidation of entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after 02/13/2013 (the date on which the International Trade Commission published its final determination in the Federal Register). Effective 02/15/2013 CBP shall require a cash deposit equal to the percentages identified below.

Exporter: Vietnam-Wide Entity

Case number: A-552-814-000

Cash deposit rate: 58.54%

Exporter: CS Wind Group

Manufacturer: CS Wind Group

Case number: A-552-814-001

Cash deposit rate: 51.54 percent

4. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O4:MZ)

5. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party